

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: December 14, 2017

Item Number: **044**

Public Works

Authorize the negotiation and execution of an amendment to the Interlocal Agreement the Texas Department of Transportation for the relocation and improvement of water and wastewater utilities in connection with the TxDOT-Loop 1 Roadway Improvements Project from Davis Lane to La Crosse Avenue, to increase the amount by \$587,162.61, for a total contract amount not to exceed \$2,407,245.56.

Lead Department	Public Works.
Fiscal Note	Funding is available in the Fiscal Year 2017-2018 Capital Budget of Austin Water.
Prior Council Action	May 19, 2016 - Council approved authority to negotiate and execute an Interlocal Agreement with Texas Department of Transportation (TxDOT) for the relocation and improvement of water and wastewater utilities in connection with TxDOT-Loop 1 Roadway Improvements from Davis Lane to La Crosse Avenue in the amount of \$1,516,735.79 plus a 20% contingency of \$303,347.16 for a total not to exceed \$1,820,082.95.
For More Information	Adewale Odufuye, 512-974-7119; Aldo Ranzani, 512-972-2211; Selinda Mendez, 512-974-3554.
Council Committee, Boards and Commission Action	November 8, 2017 Water and Wastewater Commission Board: Item passed on Commissioner Lee's motion and Commissioner Castleberry's second on a 7-1 vote with Commissioner Kellough voting against and Commissioner Michel recusing, because his company is contracted for work with TXDOT on this project. Commissioner's Blanding and Turrieta absent.

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Additional Backup Information:

Brief History of Project

On May 19, 2016, the City Council of Austin approved an Interlocal Agreement (ILA) with the Texas Department of Transportation (TxDOT) to provide funding for the relocation of existing City of Austin water and wastewater lines in conflict with the TxDOT-Loop 1 Roadway Improvement Project, from Davis Lane to La Crosse Avenue.

The City agrees to provide funding to TxDOT for the construction of water and wastewater lines and appurtenances, including the cost of any change orders made necessary by field changes to address unanticipated conditions under the terms and conditions in this agreement. TxDOT shall obtain the written approval of the City for all change order requests prior to TxDOT issuing the approved change order to the contractor.

The original Interlocal Agreement was established between the City and TxDOT to authorize Austin Water to pay TxDOT an estimated amount of \$1,516,735.79, with a 20% contingency of \$303,347.16 for a total not to exceed \$1,820,082.95.

Reason for the Amendment

Upon opening bid in August 8, 2017 by TxDOT, the lowest contract bid price for the City utility relocation and adjustments is \$2,103,898.40, which is \$587,162.61 higher than the engineer's estimate. Possible reasons for the bid price could be due to limited working space, extensive traffic controls, market conditions, and limited work resources affected by the recent Hurricanes, etc. City staff has reviewed the bid price and considered the low bid is reasonable based on the current market condition and project specific constraints.

Based on the executed Interlocal Agreement and according to Texas Administration Code Title 43 Rule 21.22, the City is obliged to relocate its utilities within the State's rights of way and responsible to fund additional costs as they are encountered. It is important to note that these funds do not constitute concurrence by the City in the Project as a whole, but rather simply satisfy the requirements for relocation of utilities within the State rights of way as prescribed in Texas Transportation Code Section 203.0935.

TxDOT has issued the authorization to begin work to their selected contractor on November 20th, 2017 for the construction of the Loop 1 Roadway Improvements Project from Davis Lane to La Crosse Avenue.

This project is managed by Public Works Department.

This project is located within zip code 78749, within council district 8.